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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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John David Roettgen,

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No. CV-06-1452-PHX-DGC (ECV)

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Petitioner,

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ORDER

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vs.

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Derral Adams, Warden; and Attorney
General of the State of Arizona,

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Respondents.

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Petitioner is a prisoner currently confined at Corcoran State Prison in California.

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United States Magistrate Judge Edward Voss issued a report and recommendation (“R&R”)

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recommending that the Court deny Petitioner’s petition for writ of habeas corpus. Dkt. #21.

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The parties did not filed objections to the R&R. The Court accepted the R&R and judgement

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was entered accordingly. Dkt. ##22-23.

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Petitioner has filed a motion to vacate judgment on the ground that he never received

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a copy of the R&R. He requests a copy of the R&R and an opportunity to file objections.

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Dkt. #24. The Court will grant the motion.

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IT IS ORDERED:

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1. Petitioner’s motion to vacate judgment (Dkt. #24) is **granted**.

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2. The judgment entered July 23, 2008 (Dkt. #23) is **vacated**.

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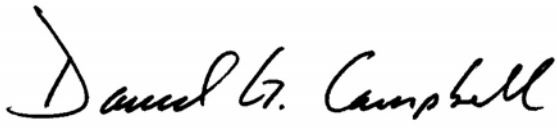
3. The Clerk is directed to provide a copy of the R&R (Dkt. #21) to Petitioner.

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4. Petitioner shall have until **October 24, 2008** to file objections to the R&R. Petitioner is advised that the Court is not inclined to grant further extensions absent truly extraordinary circumstances.

5. Respondents shall have until **November 7, 2008** to file a response to the objections.

DATED this 6th day of October, 2008.



David G. Campbell
United States District Judge